

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America,

Plaintiff,

Case No. 19-cr-20696
Honorable Terrence G. Berg

v.

D-1 John Leonard Ford,

Defendant.

/

**Amendment to Stipulated Preliminary Order of Forfeiture (ECF No. 25)
and Final Order of Forfeiture**

On May 13, 2020, this Court entered a Preliminary Order of Forfeiture (ECF No. 25) against Defendant John Leonard Ford ordering the forfeiture of the following property to the United States: One (1) Keltec, CNC Industries, Inc., Pistol, Model: P11, CAL:9, Serial No. A7P49 (“Subject Firearm”). (ECF No. 25).

The United States filed an application requesting that the Preliminary Order of Forfeiture be amended so that a third party’s ownership interest in the Subject Firearm is not extinguished, and the United States can release the Subject Firearm to the third party when it is no longer needed as evidence in this criminal case, provided that the third party is not prohibited from possessing a firearm under 18 U.S.C. § 922.

Based upon the government's application and the record in this case, the Court finds that the government published notice of forfeiture in connection with the Preliminary Order of Forfeiture and sent direct notice of forfeiture to third parties as required by statute; Jaime Johnson notified the government and/or administrative agency (ATF) that she is the owner of the Subject Firearm; no other person filed a claim of ownership to the Subject Firearm with the Court; and the government is reasonably assured that Ms. Johnson is not prohibited under 18 U.S.C. § 922 from possessing a firearm.

The Court retains jurisdiction to amend the Preliminary Order of Forfeiture and enter a Final Order of Forfeiture as provided in Federal Rule of Criminal Procedure 32.2(c)(2).

Based on the government's Application to Amend the Preliminary Order of Forfeiture and Enter Final Order of Forfeiture, and other information in the record, and pursuant to Federal Rule of Criminal Procedure 32.2(c)(2), the Court finds there is good cause to grant the government's application.

NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that

1. The Preliminary Order of Forfeiture (ECF No. 25) is amended as follows:

- The right, title and interest of Jaime Johnson in the Subject Firearm is not forfeited to the United States, and

- The government shall release the Subject Firearm to Ms. Johnson at such time and in such manner as is mutually convenient, after the Subject Firearm is no longer needed as evidence in this criminal case, provided that Ms. Johnson is not a prohibited person under 18 U.S.C. § 922 at that time.

2. All other terms of the Preliminary Order of Forfeiture (ECF No. 25) remain in full force and effect.

3. The Court shall retain jurisdiction to enforce this Order, to amend it, and to further amend the Preliminary Order of Forfeiture (ECF No. 25) as necessary pursuant to Federal Rules of Criminal Procedure 32.2.

IT IS SO ORDERED.

Date: November 12, 2021

/s/Terrence G. Berg

Honorable Terrence G. Berg
United States District Judge